

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 22-81964-CIV-CANNON/Reinhart

INTREPID OCEANS MARINE, LLC,

Plaintiff,

v.

JMS NAVAL ARCHITECTS, LLC,

Defendant.

**ORDER ACCEPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION [ECF No. 22]**

THIS CAUSE comes before the Court upon the Magistrate Judge's Report and Recommendation on Plaintiff's Motion to Remand (the "Report") [ECF No. 22], issued on February 10, 2023. On January 12, 2023, Plaintiff filed a Motion to Remand (the "Motion") [ECF No. 10]. On February 10, 2023, following referral, Judge Reinhart issued a Report recommending that the Motion be denied [ECF No. 22 p. 3]. On February 24, 2023, Plaintiff timely filed an objection to the report [ECF No. 24]. Defendant subsequently responded to Plaintiff's objection [ECF No. 26]. The Report is ripe for adjudication.

To challenge the findings and recommendations of a magistrate judge, a party must file specific written objections identifying the portions of the proposed findings and recommendation to which objection is made. *See* Fed. R. Civ. P. 72(b)(3); *Heath v. Jones*, 863 F.2d 815, 822 (11th Cir. 1989); *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). A district court reviews de novo those portions of the report to which objection is made and may accept, reject, or modify in whole or in part, the findings or recommendations made by the magistrate judge. 28 U.S.C. § 636(b)(1). To the extent a party fails to object to parts of the magistrate judge's report,

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the Court may accept the recommendation so long as there is no clear error on the face of the record. *Macort*, 208 F. App'x at 784. Legal conclusions are reviewed de novo, even in the absence of an objection. *See LeCroy v. McNeil*, 397 F. App'x 554, 556 (11th Cir. 2010); *Cooper-Houston v. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994).

Following *de novo* review of the Report, Plaintiff's Objection, and Defendant's Response, the Court finds the Report to be well reasoned and correct. For the reasons set forth in the Report [ECF No. 22], it is hereby

ORDERED AND ADJUDGED as follows:

1. The Report and Recommendation [ECF No. 22] is **ACCEPTED**.
2. Plaintiff's Motion to Remand [ECF No. 10] is **DENIED**.
3. Plaintiff's Objections to the Report and Recommendation [ECF No. 24] are **DENIED**.

DONE AND ORDERED in Chambers at Fort Pierce, Florida this 22nd day of March 2023.


AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record